

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

ANGEL SULLIVAN-BLAKE and)	
HORACE CLAIBORNE, <i>on behalf of</i>)	
<i>themselves and others similarly situated,</i>)	
)	
Plaintiffs,)	
)	Civil Action No. 18-1698
v.)	
)	
FEDEX GROUND PACKAGE)	
SYSTEM, INC.,)	
)	
Defendant.)	

ORDER

For the reasons stated in the Court's accompanying Memorandum Opinion, it is hereby ORDERED that Plaintiffs' Motion for Issuance of Notice Under § 216(b) of the FLSA (ECF No. 10) is GRANTED IN PART AND DENIED IN PART. The following collective is conditionally certified pursuant to Section 16(b) of the Fair Labor Standards Act, 29 U.S.C. § 216(b):


All individuals (outside Massachusetts) who worked as a FedEx delivery driver under an independent service provider (ISP) since November 27, 2015, who operated a vehicle weighing less than 10,001 pounds at any time since November 27, 2015, and were not paid overtime compensation for all hours worked over forty each week.

Plaintiffs' Motion is DENIED to the extent Plaintiffs seek to equitably toll the notice period as of August 29, 2017.

The parties shall meet and confer in order to jointly prepare a proposed Notice to the members of the collective and shall file the proposed Notice for the Court's consideration no later than October 11, 2019. In the event the parties cannot reach agreement, Plaintiffs and Defendant shall each submit a proposed Notice by October 11, 2019.

Pending further Order of Court, neither party shall contact any current or potential opt-in individuals.

SO ORDERED this 30th day of September, 2019.



A handwritten signature in black ink, appearing to read 'Patricia L. Dodge', is written over a horizontal line. The signature is stylized with a large loop at the beginning and a long, sweeping tail.

PATRICIA L. DODGE
United States Magistrate Judge